

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARSHALL VINCENT LUCAS,

Defendant.

CR 22–143–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on February 28, 2023. (Doc. 34.) Neither party objected, and therefore they are not entitled to *de novo* review. 28 U.S.C.

§ 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313

(9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm

conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000).

Judge Cavan recommends that this Court accept Defendant Marshall Vincent Lucas’s guilty plea after he appeared before him pursuant to Rule 11 of

the Federal Rules of Criminal Procedure and entered a guilty plea to one count of coercion and enticement, in violation of 18 U.S.C. § 2242(b) (Count 2), as set forth in the Indictment. Reviewing for clear error, the Court finds none.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendation (Doc. 34) is ADOPTED in full.

IT IS FURTHER ORDERED that Mr. Lucas's motion to change plea (Doc. 28) is GRANTED and Marshall Vincent Lucas is adjudged guilty as charged in Count 2 of the Indictment.

DATED this 16th day of March, 2023.



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Dana L. Christensen, District Judge  
United States District Court